

AN ORDINANCE OF THE TOWNSHIP OF BRIDGEWATER AMENDING SECTION 126-320.2 BRIDGEWATER REGIONAL CENTER ZONE

WHEREAS, the owner of the regional mall known as the Bridgewater Commons Mall has requested a zone change to allow medical uses in a building currently occupied by Crate & Barrel and;

WHEREAS, there is a potential tenant interested in renting the Crate & Barrel for medical purposes; and

WHEREAS, the Township recognizes that malls across the Country are struggling economically; and

WHEREAS, the Township is willing to assist the Bridgewater Commons Mall to rent the Crate & Barrel which will be vacated at the end of the calendar year 2021 to assist the Mall to remain economically viable;

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Bridgewater, in the County of Somerset and State of New Jersey that Lot 1.03, Block 553 located in the Bridgewater Regional Center zone be amended and clarified as to uses, conditions and standards permitted in the zone.

ALL DELETED LANGUAGE IS REFLECTED IN ITALICS AND BRACKETS ALL NEW LANGUAGE IS REFLECTED IN BOLDFACE AND UNDERLINED ALL LANGUAGE THAT REMAINS UNCHANGED IS NOT HIGHLIGHTED IN ANY WAY

SECTION I 126-320.2 BRIDGEWATER REGIONAL CENTER ZONE

Permitted uses. Permitted uses of the Bridgewater Regional Center are as follows:

- (1) **Regional shopping center:**
 - (a) **A regional shopping center may be constructed on the Phase I Property containing no more than 1,136,500 square feet of gross leasable area (GLA) and containing not more than three major department stores. As used herein, the term "major department store" shall mean an enclosed retail store containing not less than 90,000 square feet of GLA and shall be the type of store that generally serves as an anchor or major store in regional shopping centers.**

(b) Permitted uses within the regional shopping center shall include all variety, general merchandise and specialty stores, eating and drinking establishments, movie theaters, personal service establishments, excluding drive-in or drive-through fast food establishments, general business uses, financial institutions, brokerage offices, travel agencies, parking lots, parking decks and other accessory uses and structures as are customarily part of regional shopping centers in northern and central New Jersey.

(c) In addition to the above permitted uses, medical offices, medical and wellness uses, ambulatory medical use, including imaging, outpatient radiation therapy, outpatient surgery uses, medical-support uses, are permitted uses not exceeding 35,000 square feet of GLA on Lot 1.03, Block 553 of the Bridgewater Tax Map in the building presently occupied by Crate & Barrel.

(d) A limited site plan shall be required for the conversion of the Crate & Barrel building for medical uses as provided herein, which site plan shall be limited to presentation of parking needs for the proposed use and the impact on existing parking for other retail uses in the shopping center. The limited site plan shall also require a presentation of the proposed use impact on existing traffic and additional traffic. If there are substantial changes to the exterior of the building, then a full site plan shall be presented to the Planning Board in accordance with the Bridgewater Township Code.

(2.) The Redeveloper shall enter into an agreement with the municipality satisfactory in form and content to the Redeveloper, the Township Attorney and Township Council within 90 days of a memorialized Board resolution of final site plan approval setting forth variations from ordinary standards for preliminary and final approval to provide increased flexibility and promote mutual agreement between the applicant and the municipality at the time of conceptual master site plan approval. The substance of the Redeveloper's Agreement shall be consistent with the laws of the State of New Jersey, the Bridgewater Land Use Code and the conditions and standards applicable to development in the zone. The Redeveloper's Agreement shall be in a form satisfactory to the Township Attorney, and may include, but is not limited to, provisions relating to the following:

- i. Building layout and uses as presented to the Planning Board
- ii. Signage: Criteria to ensure a harmonious signage design for the entire development, which shall include lettering style, lighting standard types, sign material and sign lighting.
- iii. The proposed medical use is subject to the applicable usage rent share provided in the prior Redevelopment Agreement with the Bridgewater Commons Mall between the Redeveloper and the Township of Bridgewater.

Plan Amendment - Amendments to the Redevelopment Plan may be adopted in order to meet changing circumstances within and affecting the Redevelopment Area and the Township, but any site plan must be consistent with the adopted or amended Redevelopment Plan and conform to the design requirements of the ordinance.

SECTION II

If any part of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the Ordinance.

SECTION III

Should any section, paragraph, sentence, or clause of this ordinance be declared unconstitutional or invalid for any reasons, the remaining portions of this ordinance shall not be affected thereby and shall remain in full force and effect and, to this end, the provisions of this ordinance are hereby declared severable.

SECTION VI.

The within ordinance shall take effect in the time and manner provided by law and, in particular, the procedure delineated in the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.

Adopted: December 6, 2021

Effective: December 27, 2021